

No. 579, dated 21st June, 1974

Forwarded four copies to the Secretary to Government of Haryana, Labour and Employment Departments, Chandigarh as required under section 15 of the Industrial Disputes Act, 1947.

The 14th June, 1974

O. P. SHARMA,

Presiding Officer,
Industrial Tribunal, Haryana,
Faridabad.

No. 5990-4L-74/23353.—In pursuance of the provisions of section 17 of the Industrial Disputes Act, 1947 (Act No. XIV of 1947), the Governor of Haryana is pleased to publish the following award of the Presiding Officer, Industrial Tribunal, Haryana, Faridabad, in respect of the dispute between the workman and the management of M/s Sud and Waren (P) Ltd., Faridabad :—

BEFORE SHRI O. P. SHARMA, PRESIDING OFFICER, INDUSTRIAL TRIBUNAL,
HARYANA, FARIDABAD

Reference No. 142 of 1973

between

SHRI MOHAN LAL, WORKMAN AND THE MANAGEMENT OF M/S SUD AND WAREN
PRIVATE LIMITED 72, SECTOR 6, FARIDABAD

Present :

Nemo --for the workman.

Shri R. C. Sharma, for the management.

AWARD

By order No. ID-FD 342/35307, dated 7th August, 1973 of the Governor of Haryana, the following dispute between the management of M/s Sud and Waren Private Limited 72, Sector-6, Faridabad and its workman Shri Mohan Lal was referred for adjudication to this Tribunal, in exercise of the powers conferred by clause (d) of sub-section (1) of section 10 of the Industrial Disputes Act, 1947.

Usual notices were given to the parties. The workman concerned has not appeared nor the union leader through whom the demand notice leading to the present reference was given. On the other hand, the management has pleaded that, as a matter of fact, this workman had voluntarily submitted his resignation and received his dues.

Statement of Shri R. C. Sharma authorised Representative of the management has been recorded. He has proved the resignation, dated 28th April, 1973 of Shri Mohan Lal concerned workman Exhibit M-1 which was accepted on the same day and the acceptance was communicated to him. *vide* letter Exhibit M-2, which bears his signatures in token of receipt of the same. Copy of the comments filed in the conciliation proceedings Exhibit M-3 and the report of the Conciliation Officer Exhibit M-4 wherein also it is mentioned that this workman had tendered his resignation and received his dues against the vouchers duly signed by him. That is not the end of the matter. After the acceptance of his resignation and the payment of his dues by the management he had asked for service certificate which was issued to him and is Exhibit M-5 on record bearing his signatures in token of the receipt of the same.

So, taking into consideration all the facts discussed above, I am satisfied that it is a case of self abandonment of service by the workman concerned by means of his resignation, dated 28th April, 1973 and the management had not terminated his services by way of punishment or otherwise. He had received his full dues.

In the circumstances, the workman is not entitled to any relief by way of reinstatement or payment of any dues. The award is made accordingly but without any order as to costs.

O. P. SHARMA,

Presiding Officer,
Industrial Tribunal, Haryana,
Faridabad.

Dated 13th June, 1974.